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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HUNTON & WILLIAMS
Suite 1200
1900 K Street, N.W.
Washington, DC 20006-1109

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/766,731

Applicant(s)

MINBORG ET AL.

Examiner

Naghmeh Mehrpour

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-7, 9, 11-17 is/are rejected.
- 7) ☐ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>13</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 13, is objected to because of the following informalities: "identify" on line 3 of claim 13 should be changed to "identity". Appropriate correction is required.

Information Disclosure Statement

2. The information disclosure statement filed reference listed in the information disclosure submitted on 03/25/03, have been considered by the examiner (see attached PTO-1449).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7, 9, 11-16, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lund (US Patent 5,946,684) in view of Sidhu et al. (US Patent Number 6,744,759 B1).

Regarding claims 1, 14, Lund teaches a method for communicating between first and second communication devices, comprising:

receiving, at a first server 230, with the first communication device, a first signal from the first mobile communication device 232. Lund fails to teach the first signal **comprising a first request for a data object associated with a second mobile communication device** and including at least an identity of the second device;

providing the first mobile communication device the data object associated with the second mobile communication device;

as a result of the first request by the first communication device, providing identification information of the first communication device that enables the second communication device to access a data object associated with the first communication device ; and

providing to the second communication device a data object associated with the first communication device based on the provided identification information of the first communication device.

However Sidhu teaches the first signal comprising a first request (col 9 lines 59-65) **for a data object associated with a second mobile communication device 110b** and including at least an identity of the second device 110b (col 5 lines 47-62);

providing the first PID mobile communication device 110a the data object associated with the second PID mobile communication device 110b (col 5 lines 56-67);

as a result of the first request by the first communication device 110a providing identification information of the first communication device 110a that enables the second communication device 110b to access a data object associated with the first communication device 110a (col 9 lines 55-65); and

providing to the second communication device 110b a data object associated with the first communication device 110a based on the provided identification information of the first communication device 110a (col 11 lines 8-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Sidhu with Lund, in order to provide feature and capabilities to telephone service that create new opportunities for users and for service providers.

Regarding claim 2, Lund teaches a method wherein the first signal includes a dialed number of the called party 252 (second device) and the identification of the first device 232 (see figure 3, col 3 lines 56-67, col 4 line 1).

Regarding claims 3, 9, Lund teaches a method wherein the data **object provided to the second communication device 252 that is associated with the first communication 232 device** is rendered without using calling line interface information (CLI) (col 6 lines 5-15), calling line interface information is the phone web page/phone directory.

Regarding claim 4, Lund teaches a method for communicating between first 232 and second 252 communication devices, comprising:

identifying, at the second device 252, the occurrence of a triggering event (col 3 lines 65-67, col 4 line 1, see figure 2);

Second device 252 transmitting a request to a second server 248 for a data object (see figure 2, col 3 lines 57-62);

receiving the requested data object from the second server 248 (col 4 lines 2-12);

Lund fails to teach a method wherein the request for a data object by the second communication device for a data object associated with the first communication device is fulfilled only if the first communication device a requested a data object associated with the second communication device. However Sidhu teaches a method wherein the request for a data object by the second communication device 110b for a data object associated with the first communication device 110a is fulfilled only if the first communication device 110a requested (col 9 lines 59-65) a data object associated with the second communication device 110b (see figure 1, col 5 lines 56-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Sidhu with Lund, in order to provide feature and capabilities to telephone service that create new opportunities for users and for service providers.

Regarding claim 5, Lund teaches a method wherein the triggering event does not includes a calling line identification (CLI) information of the first communication device (col 6 lines 5-15).

Regarding claim 7, Lund fails to teach a method for communicating wherein the requested data object associated with the first communication devices that is provided to the second communication device is generated in the server based on calling information provided by a second server associated with the first communication device. However Sidhu teaches a method for communicating wherein the requested data object

associated with the first communication devices that is provided to the second communication device is generated in the server based on calling information provided by a second server associated with the first communication device (col 5 lines 47-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Sidhu with Lund, in order to provide feature and capabilities to telephone service that create new opportunities for users and for service providers.

Regarding claim 11, Lund inherently teaches a method wherein the data object **associated with the first communication device 232 that is provided to the second communication device 252** includes a pointer to the phone page of the second device (see figure 2, col 4 lines 13-15). Lund teaches that in response to the request of the second device, the SCP 242 (second server) determines what type of response is required by indexing the database 243 to learn what services are available to the CPE 252 (second device), therefore, the pointer of the index has to be on the phone page of the second device 252 in order to show what services are available for the second device 252.

Regarding claim 12, Lund teaches a method wherein the data object **associated with the first communication device 232 that is provided to the second communication device 252** includes a phone page of **the first communication device 232** (col 6 lines 5-15). The web page, which contains the phone numbers, are called phone page.

Regarding claims 13, 15, Lund inherently teaches a method wherein the data object **associated with the first communication device 232 that is provided to the second communication device 252** comprises the public identity of the second device (see figure 2, col 3 lines 56-59). When a calling party 232, lifts the telephone receiver and dials the number of called party 252, that number is sent to the calling party 232 SSP 230. The SSP is central office, therefore, the telephone number of the second device is the public identify of the second device.

Regarding claim 16, Lund fails teaches a method wherein the second communication device 252 is unable to access the data object associated with the first communication 232 device unless the first communication device requests the data object with the second communication device (col 6 lines 5-15). It is conventional that the second communication device 252 is unable to access the data object associated with the first communication 232 device unless the first communication device requests the data object with the second communication device (see figure 3, col 3 lines 59-62)

5. Claim 17, is rejected under 35 U.S.C. 103(a) as being unpatentable over Lund (US Patent 5,946,684) in view of Sidhu et al. (US Patent Number 6,744,759 B1) in further view of Tejada (US patent Number 2002/0068550 B1).

Regarding claim 17, Lund modified by Sidhu fails to teach a method wherein the first communication device has a secret or unlisted phone number such that the phone number is not automatically made available to called parties as CLI information. However Tejada

teaches a method wherein the first communication device has a secret or unlisted phone number such that the phone number is not automatically made available to called parties as CLI information (page 2 section 0029). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Tejada with Lund modified by Sidhu, in order to provide to a third party, a requested wireless phone number of a person if the set of conditions associated with that wireless phone number have been met.

Allowable Subject Matter

6. Claim 10, is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-7, 9, 11-17, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. **Any responses to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for formal communications indented for entry)

Or:

(703) 308-6306, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II. 2121

Crystal Drive, Arlington. Va., sixth Floor (Receptionist).


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Melody Mehrpour whose telephone number is (703) 308-7159. The examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m.

If attempt to reach the examiner are unsuccessful the examiner's supervisor, Marsha Banks-Harold be reached (703) 305-4379.

NM

June 14, 2004


CHARLES APPIAH
PRIMARY EXAMINER